

1 BEFORE THE BOARD OF MEDICAL EXAMINERS

2
3 IN THE STATE OF ARIZONA

4 In the Matter of

5 **EUGENE JAMES CHANDLER, M.D.**

6 Holder of License No. **7454**
7 For the Practice of Medicine
8 In the State of Arizona.

CASE NO. MD-99-0074

Investigation No. 12535

**INTERIM FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER
FOR SUMMARY SUSPENSION OF
LICENSE**

9
10 **INTRODUCTION**

11 The above-captioned matter came on for discussion before the Arizona Board of
12 Medical Examiners ("Board") on December 15, 2000; and after reviewing relevant
13 information and deliberating, the Board voted to consider summary suspension
14 proceedings. The Board considered summary suspension and following the review of
15 information obtained, pursuant to A.R.S. § 32-1451 and A.R.S. § 32-1452, and having
16 considered the information in the matter and being fully advised, the Board enters the
17 following Interim Findings of Fact, Conclusions of Law and Order for Summary Suspension
18 of License, pending formal hearings or other Board action.

19
20 **INTERIM FINDINGS OF FACT**

21 1. The Board is the duly constituted authority for the regulation and control of the
22 practice of allopathic medicine in the State of Arizona, pursuant to A.R.S. § 32-1401 et
23 seq.

24 2. Eugene James Chandler, M.D. is the holder of License No. 7454, for the practice of
25 medicine in the State of Arizona.

1 3. On October 25, 2000, Dr. Chandler entered a consent agreement with the Board for
2 an Interim Order for inpatient evaluation at Rush Behavioral Health Center ("Rush") in
3 Chicago, Illinois.

4 4. The evaluation team at Rush recommended that Dr. Chandler undergo an MRI of
5 the head and a neuropsychological examination. The evaluation team also recommended
6 Dr. Chandler cease practicing surgery until these examinations are completed and the
7 findings assessed.

8 5. Dr. Chandler refused to undergo the recommended examinations of the evaluation
9 team at Rush, and returned to Arizona.

10 6. On November 29, 2000, the Board received a copy of the history and physical
11 examination performed at Rush, which finds that Dr. Chandler is suspected of having
12 organic deficits which may interfere with his ability to practice with reasonable skill, safety
13 and competence, and found Dr. Chandler not to be "a reliable respondent and his that
14 attempts to cover the suspective cognitive deficits were transparent." The evaluation team
15 further found "every evidence of chronic alcoholism."

16 7. The assessment and plan of the evaluating physician at Rush indicates:

- 17 a. Peripheral neuropathy secondary to peripheral vascular disease and/or
18 adult onset diabetes mellitus and/or alcoholism.
- 19 b. Organic brain syndrome secondary to alcoholism versus
20 dimensia/depression. Strongly question professional competence
21 at this point.

22 8. Based upon the foregoing, the Board finds that it has been presented with sufficient
23 substantial and reliable information concerning the professional conduct of Dr. Chandler to
24 conclude that, pending formal administrative hearing, the public health, safety and welfare
25

1 imperatively requires emergency action by the Board against Dr. Chandler's license to
2 practice medicine in the State of Arizona.

3 **INTERIM CONCLUSIONS OF LAW**

4 1. The Board possesses jurisdiction over the subject matter hereof and over Eugene
5 James Chandler, M.D., holder of License No. 7454, for the practice of allopathic medicine
6 in the State of Arizona, pursuant to A.R.S. § 32-1401.

7 2. The conduct and circumstances described above constitute unprofessional conduct
8 pursuant to A.R.S. § 32-1401(25)(f) (habitual substance abuse).

9 3. The conduct and circumstances described above constitute unprofessional conduct
10 pursuant to A.R.S. § 32-1401(25)(q) (any conduct or practice which is or might be harmful
11 or dangerous to the health of the patient or the public).

12 4. Pursuant to A.R.S. § 32-1451(D), and based on the foregoing Interim Findings of
13 Fact and Conclusions of Law, the public safety imperatively requires emergency action.

14 **ORDER**

15 Based on the foregoing Interim Findings of Fact and Conclusions of Law, set forth
16 above,

17 **IT IS HEREBY ORDERED THAT:**

18 1. Eugene James Chandler, M.D.'s license to practice allopathic medicine in the State
19 of Arizona, License No. 7454, is summarily suspended pending a formal hearing before a
20 hearing officer before the Office of Administrative Hearings.

21 2. The Interim Findings of Fact and Conclusions of Law constitute written notice to Dr.
22 Chandler of the charges of unprofessional conduct made by the Board against him. Dr.
23 Chandler is entitled to a formal hearing to defend these charges within sixty (60) days of
24 the effective date of this order.
25

1 3. The Board's Executive Director is instructed to refer this matter to the Office of
2 Administrative Hearings for scheduling of an administrative hearing to be commenced no
3 later than sixty (60) days from the date of the issuance of this order, unless stipulated and
4 agreed otherwise by Dr. Chandler.

5 DATED this 4th day of January, 2001.

6 BOARD OF MEDICAL EXAMINERS
7 OF THE STATE OF ARIZONA

8 (SEAL)

9 By: Claudia Foutz
10 CLAUDIA FOUTZ
11 Executive Director
12 TOM ADAMS
13 Assistant Director/Regulation

14 ORIGINAL of the foregoing filed this
15 4 day of January, 2001, with:

16 The Arizona Board of Medical Examiners
17 9545 E. Doubletree Ranch Road
18 Scottsdale, AZ 85258

19 Executed Copy of the foregoing ~~filed~~ mailed
20 this 4 day of January, 2001, to:

21 Office of Administrative Hearings
22 1400 West Washington St. - Ste. 101
23 Phoenix, AZ 85007

24 Executed copy of the foregoing mailed by Certified
25 Mail this 4 day of May, 2001, to:

Eugene James Chandler
5702 East Camelback Road
Phoenix, AZ 85018

1 Executed Copy of the foregoing mailed
2 this 4 day of January, 2001, to:

3 Roger Morris, Esq.
4 Streich Lang, P.A.
5 Two N. Central
6 Phoenix, AZ 85004-2391
7 Counsel for Dr. Chandler

8 Executed copy of the foregoing delivered via
9 interoffice mail this 4th day of January, 2001, with:

10 Elizabeth Burns, Esq.
11 Assistant Attorney General
12 Arizona Attorney General Office
13 1275 West Washington
14 Phoenix, AZ 85007

15 Richard Albrecht, Esq.
16 Assistant Attorney General
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20 Counsel to the Board

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Ananda Diehl